



IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRYAN GILBERT DIAZ DE JESUS,
AKA BRYAN GILBERT DE JESUS,

Defendant.

INDICTMENT

Criminal No. 19 - 566 (FAB)

Violations:

21 U.S.C. §§ 846
21 U.S.C. §§841(a)(1) and (b)(1);
21 U.S.C. §§843(b)
21 U.S.C. §§331(a) and 333(a)(2)

Forfeiture:

21 U.S.C. §§ 853 & 881

EIGHT COUNTS AND FORFEITURE
ALLEGATION

THE GRAND JURY CHARGES

COUNT ONE

Conspiracy to Possess with Intent to Distribute Controlled Substances
Title 21, United States Code, Sections 846, 841(a)(1) and (b)(1)

In or about May 2019, and continuing until on or about August 26, 2019, in the District of Puerto Rico and within the jurisdiction of this Court,

BRYAN GILBERT DIAZ-DEJESUS,
AKA BRYAN GILBERT DE JESUS,

the defendant herein, did knowingly and intentionally combine, conspire and agree with diverse other persons known and unknown to the Grand Jury to commit an offense against the United States, that is, to knowingly and intentionally possess with intent to distribute and to distribute controlled substances, to wit: 40 grams or more of a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidiny] propanamide commonly known as fentanyl, a Schedule II Controlled

Substance; a mixture or substance containing a detectable amount of cocaine, a Scheduled II Narcotic Drug Controlled Substance; a mixture or substance containing a detectable amount of heroin, a Scheduled I Controlled Substance. All in violation of Title 21, United States Code, sections 846; 841(a)(1); (b)(1)(B)(vi); and (b)(1)(C).

COUNT TWO

**Possession With Intent to Distribute Controlled Substances
Title 21, United States Code, Section 841(a)(1) and (b)(1)(B)**

In or about May 2019, and continuing until on or about August 26, 2019, in the District of Puerto Rico and within the jurisdiction of this Court,

**BRYAN GILBERT DIAZ-DEJESUS,
AKA BRYAN GILBERT DE JESUS,**

the defendant herein, did knowingly and intentionally possess with the intent to distribute 40 grams or more of a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide commonly known as fentanyl, a Schedule II Controlled Substance; all in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B)(vi).

COUNT THREE

**Possession With Intent to Distribute Controlled Substances
Title 21, United States Code, Section 841(a)(1) and (b)(1)(C)**

In on or about May 2019, and continuing until on or about August 26, 2019, in the District of Puerto Rico and within the jurisdiction of this Court,

**BRYAN GILBERT DIAZ-DEJESUS,
AKA BRYAN GILBERT DE JESUS,**

the defendant herein, did knowingly and intentionally possess with the intent to distribute a mixture or substance containing a detectable amount of cocaine, a Scheduled II Narcotic Drug Controlled Substance; all in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT FOUR

**Possession With Intent to Distribute Controlled Substances
Title 21, United States Code, Section 841(a)(1) and (b)(C)**

In or about May 2019, and continuing until on or about August 26, 2019, in the District of Puerto Rico and within the jurisdiction of this Court,

**BRYAN GILBERT DIAZ-DEJESUS,
AKA BRYAN GILBERT DE JESUS,**

the defendant herein, did knowingly and intentionally possess with the intent to distribute a mixture or substance containing a detectable amount of heroin, a Scheduled I Controlled Substance; all in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT FIVE

**Introduction of Misbranded Drugs Into Interstate Commerce
Title 21, United States Code, Sections 331(a) and 333(a)(2)**

In or about May 2019, and continuing until on or about August 26, 2019, in the District of Puerto Rico and within the jurisdiction of this Court,

**BRYAN GILBERT DIAZ-DEJESUS,
AKA BRYAN GILBERT DE JESUS,**

the defendant herein, did introduce and cause the introduction into interstate commerce, and with the intent to defraud and mislead, a “drug” as defined at Title 21, United States Code, Section 321(g)(1) – specifically, N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propenamide, commonly known as fentanyl-- that was misbranded within the meaning of Title 21, United States Code, Section 352(f)(1), in that the drug’s labeling failed to bear adequate directions for use, all in violation of Title 21, United States Code, Sections 331(a) and 333(a)(2).

COUNT SIX

Use of Communication Facility

Title 21, United States Code, Section 843(b)

On or about August 8, 2019, in the District of Puerto Rico and within the jurisdiction of this Court,

**BRYAN GILBERT DIAZ-DEJESUS,
AKA BRYAN GILBERT DE JESUS,**

the defendant herein, did knowingly and intentionally use a communication facility, a postal station, in facilitating the commission of any act or acts constituting a felony under Title 21, United States Code, Sections 846 and 841, that is, the offenses set forth in Counts One through Four of this indictment incorporated by reference herein. All in violation of Title 21, United States Code, Section 843(b).

COUNT SEVEN

Use of Communication Facility

Title 21, United States Code, Section 843(b)

On or about August 22, 2019, in the District of Puerto Rico and within the jurisdiction of this Court,

**BRYAN GILBERT DIAZ-DEJESUS,
AKA BRYAN GILBERT DE JESUS,**

the defendant herein, did knowingly and intentionally use a communication facility, a postal station, in facilitating the commission of any act or acts constituting a felony under Title 21, United States Code, Sections 846 and 841, that is, the offenses set forth in Counts One through Four of this indictment incorporated by reference herein. All in violation of Title 21, United States Code, Section 843(b).

COUNT EIGHT
Use of Communication Facility
Title 21, United States Code, Section 843(b)

On or about August 26, 2019, in the District of Puerto Rico and within the jurisdiction of this Court,

BRYAN GILBERT DIAZ-DEJESUS,
AKA BRYAN GILBERT DE JESUS,

the defendant herein, did knowingly and intentionally use a communication facility, a postal station, in facilitating the commission of any act or acts constituting a felony under Title 21, United States Code, Sections 846 and 841, that is, the offenses set forth in Counts One through Four of this indictment incorporated by reference herein. All in violation of Title 21, United States Code, Section 843(b).

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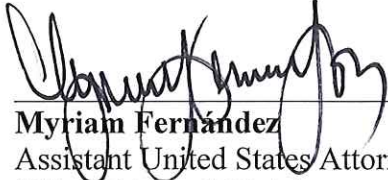
NARCOTICS FORFEITURE ALLEGATION
Title 21, United States Code, Sections 853 & 881

The Grand Jury further finds that:

1. The allegations contained in Count One through Eight of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 21, United States Code, Section 853.
2. Pursuant to Title 21, United States Code, Section 853, upon conviction of an offense in violation of Title 21, United States Code, Sections 841, 843, 846, 331 and 332, the defendant **Bryan Gilbert Diaz-De Jesus, aka Bryan Gilbert De Jesus** shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense.
3. If any of the property described above, as a result of any act or omission of the defendant[s]:
 - a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with, a third party;
 - c. has been placed beyond the jurisdiction of the court;
 - d. has been substantially diminished in value; or
 - e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,
United States Code, Section 853(p).

ROSA EMILIA RODRIGUEZ-VELEZ
United States Attorney





Myriam Fernández
Assistant United States Attorney
Chief, Criminal Division

TRUE BILL

FOREPERSON

Date: September 12, 2019



Alberto R. López-Rocafort
Assistant United States Attorney
Deputy Chief, Gang Unit

María L. Montañez-Concepción
Assistant United States Attorney